

REMARKS

Claim Status

Claims 48 through 50, 52 through 61, and 63 through 71 are now pending in the application, with Claims 48 and 59 being independent. Claims 1 through 47 have been previously cancelled. Claims 51 and 62 have been cancelled herein. Claims 48, 49, 52, 53, 59, 60, and 63 through 66 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been presented.

Claim Objection

Claim 53 is objected to for an informality, as outlined at page 2 of the Office Action. Claim 53 has been amended accordingly. It is respectfully submitted that the claim objection has been overcome and should be withdrawn.

Claim Rejection

Claims 48 through 71 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inose (U.S. Patent No. 6,385,407) in view of Palumbo et al. (U.S. Patent No. 5,999,759).

The rationale underlying the rejection is succinctly set forth in the Office Action.

Response to Claim Rejection

The rejection is respectfully traversed.

Independent Claim 48, as amended, recites a toner supply container comprising a rotatable container body having a toner containable inner space and an opening configured and positioned to permit discharge of the toner in said container body; a driving force receiving

portion configured and positioned to receive a rotational driving force for rotating said container body; a toner feeding portion configured and positioned to feed the toner in said container body toward said opening with rotation of said container body; and a sensor provided on said container body so as to rotate integrally with said container body and configured to output a signal varying in accordance with the rotation of said container body and a remaining toner amount of said container body.

Independent Claim 59, as amended, recites a toner supply system comprising, *inter alia*, a toner supply container similar to the toner supply container recited in Claim 48.

Inose and Palumbo et al. are cited in the Office Action as allegedly disclosing the features of Applicant's invention. Inose discloses an ink cartridge 100 with an IC unit 40, which may have a sensor for detecting an amount of ink remaining in a storage portion 120 of the ink cartridge 100. *See* Col. 7, lines 4-32. Inose further discloses an inspection method, where a controller compares a present remaining amount of ink used in the apparatus with the previous remaining amount of ink recorded in a memory, and if the present ink amount is larger than the previous ink amount, decides that a user has illicitly filled ink. *See* Col. 12, lines 38-57.

The Office Action recognizes that Inose does not disclose, *inter alia*, a container body which is rotatable, with a toner feeding body, relying on Palumbo et al. as allegedly disclosing this feature.

Palumbo et al. discloses a toner cartridge 23 with a bar code 56, which is read by a bar code reader 58 every time it passes therebeneath, to determine, using a processing unit 60, a remaining quantity of toner particles, according to an algorithm which multiplies the number of revolutions of a housing 50 by the toner discharged per revolution. *See* Col. 4, lines 52-65.

The Office Action concludes that it would have been obvious to employ the toner remaining amount detection and communication techniques of Inose with the conventional rotatable toner container of Palumbo et al., basing such a combination as an adaptation of known techniques to a known device ready for improvement yielding only predictable results.

Applicant respectfully disagrees.

Initially, Applicant submits that the bar code of Palumbo et al. merely provides static information relating to the toner cartridge, and cannot be understood to constitute a sensor such as the one disclosed in Inose, let alone a sensor configured to output a signal varying in accordance with the rotation of a container body and a remaining toner amount of the container body. Indeed, the bar code of Palumbo et al. does not vary at all once it is applied to the container. As such, Applicant respectfully submits that the substitution of the bar code in Palumbo et al. with the sensor of Inose is more than merely an adaptation of a known technique to a known device, as alleged in the Office Action.

Furthermore, the sensor in Inose does not output a signal varying in accordance with a rotation of a container body, inasmuch as Inose does not even disclose or suggest a rotatable container body.

As such, Applicant respectfully submits that the non-rotating sensor of Inose, if provided in a rotatable container body, would not be configured to accurately sense a remaining amount of ink in the rotatable container body.

Accordingly, Applicant submits that neither Inose nor Palumbo et al., whether taken individually or in combination, can be understood to disclose or suggest the above-mentioned features recited in independent Claims 48 and 59.

Dependent Claims

Claims 49, 50, 52 through 58, 60, 61, and 63 through 71 are either directly or indirectly dependent from one of independent Claims 48 or 59 and are allowable by virtue of their dependency and in their own right for further defining the invention.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are allowable over the art of record, and that the application is in condition for allowance.

Favorable reconsideration and early passage to issue of the application are earnestly solicited.

The Commissioner is hereby authorized to charge any fee which may be deemed necessary in connection with this paper to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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